



PLANNING COMMISSION

AGENDA REPORT

MEETING DATE: OCTOBER 13, 2014

ITEM NUMBER: PH-2

SUBJECT: PLANNING APPLICATION PA-14-11 FOR A 393-UNIT MIDRISE RESIDENTIAL DEVELOPMENT (SYMPHONY APARTMENTS) AT 585 AND 595 ANTON BOULEVARD

DATE: OCTOBER 2, 2014

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: MINOO ASHABI, PRINCIPAL PLANNER

FOR FURTHER INFORMATION CONTACT: MINOO ASHABI (714) 754-5610
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DESCRIPTION

The proposed project involves the following:

- 1) Addendum to Final Program EIR NO. 1052.
- 2) Final Master Plan PA-14-11 for development of a 393-unit mid-rise residential development including:
 - Demolition of two restaurant buildings (17,529 square feet) and 373 surface parking spaces;;
 - Construction of two midrise residential buildings consisting of 393 apartment units connected with a pedestrian bridge, a maximum building height of 75 feet, six stories high above grade (66 feet average, 75 feet at the lobby) with one subterranean level parking. A total of 731 parking spaces (699 standard, 15 tandem and 17 compact spaces) will be provided to accommodate the residential units and the 4,104 square feet of retail at ground level (722 spaces required). The project includes multiple on-site amenities such as three outdoor decks, two pools and spas, and fitness rooms;
 - Deviation from the perimeter open space setback requirement along Anton Boulevard (20 feet required, 7 feet proposed) and Avenue of the Arts (20 feet required, 8'6" proposed);
 - Administrative Adjustment to allow encroachment of upper levels of buildings and balconies (Level 3 and above) in the perimeter open space setback requirement (20 feet required, 12 feet proposed);
Encroachment into 25-foot Landscape and Sidewalk Easement along Anton Boulevard frontage (7 feet landscaped setback proposed, 20 feet setback provided to building on the ground floor containing stoops and landscape walls); and,

- General Plan Conformity finding that the proposed modification to the Landscape and Sidewalk Easement on Anton Boulevard is in conformance with the City of Costa Mesa 2000 General Plan.

Notes:

(1) The proposal includes a request to modify the 25-foot landscape easement and for a development agreement, both of which require final action by the City Council.

(2) A preliminary master plan establishing the maximum density and building height was previously approved in October 2007. The master plan also included a Vesting Tentative Tract Map for the condominium project that is valid until October 8, 2014. A two-year time extension request is pending.). This proposal is for rental units and a subdivision is not requested.

APPLICANT

The applicant and agent of property owner is Wilson Meany.

RECOMMENDATION

- Recommend that the City Council approve the Addendum to the North Costa Mesa High Rise Residential Project Environmental Impact Report (EIR) No. 1052 and Final Master Plan PA-14-11 by adoption of the attached resolution subject to conditions.

PLANNING APPLICATION SUMMARY

Location: 585 and 595 Anton Blvd. Application: PA-14-11

Request: Development of 393 apartment units in two midrise buildings and three levels of parking on a site previously approved with high rise towers (484 units and 6,000 SF of ancillary retail)

SUBJECT PROPERTY:

Zone: PDC
General Plan: Urban Center Commercial

Lot Dimensions: irregular
Lot Area: 4.84-acre

Existing Development: The site is developed with two vacant restaurant buildings and 373 parking spaces

SURROUNDING PROPERTY:

North: The Lakes shopping center
South: Metro Center office complex

East: Commercial development
West: Commercial and office development

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Zoning Code or NCMS Requirement</u>	<u>Proposed/Provided</u>
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Density - NCMS	100 du/acre ¹ 484 units	81 du/acre 393 units
Lot Size	One acre	4.86-acre
Buildings		
Perimeter Open Space	20' abutting Public ROW	7 feet on Anton Blvd. 8'6" on Avenue of the Arts
Open Space	42%	Ground Level: 61,436 (29%) Amenity deck: 75,497 (35%)
Private Open Space	100 SF	80 -140 SF
Setbacks		
Front (Anton Blvd.)	20 feet	7 feet ²
Side (Avenue of the Arts)	20 feet	8'6" ²
Interior Property Line	None	
Building Height	306 feet AGL	66 feet AGL for buildings and 75 feet for entry lobby (One level subterranean parking)
Parking:		
Tenant Parking	1.5 per unit - 590	710 (total residential parking)
Guest Parking	0.5 per unit for 1 st 50 units 0.25 for over 50 111	710 (total residential parking)
Commercial Parking	4/1000 (retail) 5/1000 (bank) 2/1000 (ancillary retail)	4,037 SF retail 21 spaces
Total	722 spaces	731 spaces
Patios and balconies	Same as building setbacks	Buildings and balconies encroach 8 feet into the perimeter setback ³

¹ GP-06-02 – site specific density of 100 du/acre in Urban Center Commercial

² Subject to approval by Planning Commission for encroachment of patios and stoops and subject to final approval by the City Council for modification of the 25-foot landscape easement.

³ Subject to approval of an Administrative Adjustment (see staff report)

CEQA Status Addendum to Final Program EIR NO. 1052

Final Action Planning Commission

BACKGROUND

MidRise and HighRise Residential Entitlements in North Costa Mesa

In 2006, a Final Environmental Impact Report (FEIR) was prepared for five high rise projects in North Costa Mesa Specific Plan. FEIR No. 1052 (SCH#2006011077) for the North Costa Mesa High Rise Projects was certified by City Council on November 21, 2006. The approval included an overruling of Airport Land Use Commission (ALUC) decision that the projects were inconsistent with the Airport Environs Land Use Plan.

Following the certification, in January 2007, City Council approved five master plans for high-rise development in North Costa Mesa including a master plan for development of Symphony Towers at 585 and 595 Anton Boulevard.

Final Master Plan PA-07-18 and Vesting Tentative Tract Map VT-17207 were approved by the Planning Commission on October 8, 2007. The entitlement included demolition of two existing restaurants (17,529 SF) and conversion of an unbuilt 300-room hotel entitlement to facilitate the construction of 484 residential condominiums with two towers (26-story and 16-story), two six level parking structures containing 1040 parking stalls and 6,000 square feet of ancillary retail at ground floor.

The application included a subdivision for common interest development and a reduction in perimeter landscape easement along Anton Boulevard and Avenue of the Arts (16 to 20 feet proposed). This approval is still valid and will expire on October 8, 2014. A two-year time extension is requested which is covered under separate cover. A three-story off-site parking structure (531 Anton Boulevard) was also processed subsequent to the high rise proposal to provide a portion of the parking spaces that would be removed with development of the residential towers. This application (PA-07-29) was approved in January 2008 and two time extensions were granted. Since the off-site parking requirement is a condition of approval of PA-07-18, a retroactive time extension for that application is also requested.

Since the original approval of the master plans in 2007, a project was also approved for the high rise project at 580 Anton Boulevard that modified the original approval to a mid-rise project with the same number of units (250 units).

Master Plan Requirement

The Zoning Code requires approval of a "final master plan" prior to development of a Planned Development Zone. The primary distinction is that a "preliminary" master plan establishes the building envelope (i.e. location, density, building height, etc.), while a "final" master plan provides specific details regarding the site plan, floor plans, elevations, landscaping, architecture, on-site amenities, parking supply, circulation plan, etc.

The final master plan review allows consideration of the structures' scale, site planning, landscaping and appearance, with the goal of promoting design excellence while giving consideration to the project's compatibility with existing uses and consistent with the North Costa Mesa Specific Plan. The Table below compares the currently proposed project to the previously approved entitlement.

Comparison Table of
Previously-Approved Symphony Towers and Proposed Symphony Apartments

	Symphony Towers HighRise Buildings	Symphony Apartments MidRise Buildings
Density	484 units	383 units
Maximum AM Peak Hour Trip Budget	227 trips	209 trips
Maximum PM Peak Hour Trip Budget	290 trips	272 trips
Perimeter Open Space	Minimum 16 feet ft.	12.3 ft. (Anton Blvd. - not including patios) 8.7 ft. (Avenue of the Arts - not including dog run)
Open Space	Ground Level: 56,564 SF (27%) Amenity Deck: 63,442 SF (30%)	Ground Level: 61,436 SF (29%) Amenity Deck: 75,497 SF (35%)
Private Open Space	100 SF	80-140 SF
Front Setback (Anton Blvd.)	Minimum 16 ft.	12 ft. (upper levels and balconies) 20 ft. ground level
Side Setback (Avenue of Arts)	18 ft.	24 ft. to bldg. (8.7 ft. dog run fencing)
Parking (residential)	1025 spaces Ratio: approx. 1.8 /unit plus guest parking	710 spaces Ratio: approx. 1.5/ unit plus guest parking
Retail Space	6,000 SF	4,037 SF
Parking (retail)	24	21
Total	1050	731
Building Height	172' tower one 272' tower two	74 ft. at lobby 66 ft. buildings
Stories	26 and 16 stories	six stories

ANALYSIS

Final Master Plan PA-14-11

The project site at 585 and 595 Anton Boulevard is currently developed with two restaurant buildings that have been vacant in the past few years and 373 spaces of surface parking. The site is to the north of an office complex with three towers and four parking structures and a 24-hour fitness center. A diagonal utility easement also runs through the site that is currently paved and landscaped, which provides a pedestrian access from the office complexes to Anton Boulevard.

The proposal will remove all existing structures and surface parking areas for a new development with parking structures and a total of 393 residential units. The proposed units are contained in two buildings over a three-level parking structure (two levels above ground) and 28 ground floor lofts units at the perimeter of the parking structure along the Anton Boulevard frontage and the entry plaza. A replacement parking structure (Final Master Plan PA-07-29 for Structure B) is required to be built to serve the commercial uses at South Coast Metro Center.

Site and Building Design

Main access to the site is provided from Anton Boulevard. The main entrance provides access for visitors of the leasing office and patrons of the retail space as well as current residents. Residents also have a secondary access from Avenue of the Arts that leads directly to the parking structure. The 28 loft units are located at the Anton Boulevard frontage to provide a pedestrian-friendly environment and engage the community as an active area within the entry plaza. These units can be accessed from the interior of the parking structure as well as from Anton Boulevard with raised patios and stoops. Typical stoops are eight feet in depth and separated from the public sidewalk by a low planter wall, landscaping and a few porch steps.

The applicant is proposing ground floor amenities in front of the retail space and opposite of the entrance and an entry plaza with seating areas and landscaping that will be open to the public. Other private amenities such as pools, spas, exercise room, and club house are provided on Level 3 of the structures. These spaces are connected with a pedestrian bridge that also provides a focal point for the project from Anton Boulevard.

The applicant is proposing two bicycle storage areas at the opposite corners of the building on the northwest and southeast and a dog wash and dog run area along The Avenue of the Arts frontage. The dog run is proposed to be contained by a four-foot high fence and separated from the sidewalk with a landscape planter buffer.

All units are provided with a private balcony that range in size from 80 to 140 SF. The balconies face either the perimeter streets or the interior courtyards and pool grounds.

Site Open Space

The project includes 61,436 square feet of open space on the ground floor (29 percent) and 75,497 square feet of open space on the upper levels. North Costa Mesa Specific Plan allows inclusion of open space in upper levels in the overall calculations. In comparisons with the original approval, 16,927 square feet (2%) of additional open space will be provided.

Floor Plans

The project in general provides 154 two bedroom units and 239 one bedroom units. The units range in size from 750 to 1,392 square feet. The loft units are 794 square feet of living space contained in two levels that include volume ceilings and a master bedroom and bath on the upper level. The proposal does not contain any 3-bedroom (or larger) units.

Elevations

Massing of the two buildings are broken by off-sets in the elevations and incorporation of balconies in the building design. A variety of materials is proposed such as stone veneer, metal panels, ceramic tile cladding and a combination of metal and glass railing for the balconies. The pedestrian bridge and the entry plaza are focal points of the project that will be inviting to the pedestrian as well as passerby traffic.

Parking

The project is subject to the parking requirements as set forth in the North Costa Mesa Specific Plan. Three levels of parking is provided including a subterranean level and two levels above grade for a total of 731 spaces. Because of the parking design radius and visibility issues, the overall number includes a small percentage of tandem and compact spaces. However, the project in general provides 14 excess parking spaces with use of ground floor retail.

Proposed Parking 383-unit MidRise Development with Ancillary Retail

Use	Unit/ SF	Required space pursuant to North Costa Mesa Specific Plan	Provided
Dwelling Units	393 units	Guest parking 0.5 per unit for the first 50 0.25 for 50+ units – 111 Tenant parking 1.5 per unit – 590	120 590
Retail Space	4,037 SF	4/1000 – 16 spaces 5/1000 – 21 spaces	21
Total		722 spaces (max.)	731 spaces*

*the total includes 15 tandem parking spaces and 17 compact parking spaces.

With the development of the office complex and the restaurants a private parking agreement allowed joint use of the 373 surface parking spaces at 585 and 595 Anton Boulevard developed with the restaurants. The approval for the Symphony Towers included a condition that a parking structure (Structure B) be built prior to the final certificate of occupancy for the second tower. Following the entitlement for the towers, on January 14, 2008 a separate planning application was approved for construction of a three-level parking structure with 342 parking spaces at the southeast corner of the site (531 Anton Boulevard) next to the parking structure for 555 Anton Boulevard. Two time extensions were approved for the parking approval that tied the entitlement of the parking with the Symphony Towers. Both entitlements will be expired in October 8, 2014. The applicant intends to keep these entitlements up to date until the final development proposal for the site is decided. The two-year time extension for the two entitlements are being considered under separate application.

The applicant is still under the obligation with the adjacent property owner (RREEF) to provide the additional parking spaces. The private agreement may be revised to provide the additional spaces atop of an existing parking structure or as originally approved. This will be considered under a separate action by the Planning Commission.

Vacation of a portion of 25-foot Easement

In 1984, the City recorded a 25-foot "Landscape and Sidewalk" easement along the Anton Avenue right-of-way. This easement requirement is in addition to the zoning requirement for the perimeter open space noted earlier. The applicant has requested to reduce this easement from 25 feet to 7 feet. This request is to accommodate the lofts at the perimeter of the project with patios and stoops taking direct access from the Anton Avenue sidewalk, in addition to the building upper levels (Level 3 and above) with units and balconies at 12 feet to the property line.

The attached Planning Commission resolution expressly states that the Planning Commission's authority is limited to making a recommendation on the vacation of the easement in terms of General Plan conformity. Any vacation of this existing landscape easement requires public notification and two public hearings by the City Council that need to be processed under a separate application. The applicant is desirous to proceed with the planning application pending approval of the vacation of the easement by City Council at a later date. Approval of this development is contingent upon City Council's action; therefore, a condition of approval requires that prior to obtaining a grading permit for the project, the applicant must submit and process the easement modification/quitclaim application through the Public Services Department.

The City Council has previously approved reductions to the 25-foot landscape easement. The following is a comparison of Landscape Easements along Anton Boulevard:

Description	Easement	Council Action
Proposed Project / Symphony Apartments	25-foot easement southside of Anton Boulevard	Pending request for modification to 7-foot easement
Irvine Apartment Communities, Enclave Apts.	25-foot easement northside of Anton Boulevard	Approved a 20-foot easement
580 Anton Boulevard 250-unit midrise	25-foot easement northside of Anton Boulevard	Approved a 20-foot easement

General Plan Conformity

Government Code Section 65402 requires that the Planning Commission review and approve certain actions related to City property. Actions related to acquiring, using, or disposing of property within the City of Costa Mesa the Planning Commission must make required findings that the proposed vacation or use for conformity with the General Plan.

The applicant is requesting to reduce the existing 25-foot "Landscape and Sidewalk Easement" along Anton Boulevard to a minimum of 7-feet wide. This will affect the entire length of the property along Anton Boulevard (approximately 960 feet), as shown in Exhibit D of the draft resolution.

Staff has found the proposal in compliance with the City's 2000 General Plan for the following reasons:

- The vacation of a portion of the easement (18' wide) strictly involves reducing the landscape easement on Anton Boulevard to allow patios, stoops and upper level building encroachment into the existing 25-foot easement. The proposed vacation has no impact on Anton Boulevard right-of-way. Anton Boulevard is designated as a six-lane arterial.
- This portion of the easement serves no public street and/or highway purposes. There are no utilities within this portion of the easement.
- This portion of the easement is not required for any ingress/egress to private properties. The access to the site will not change as a result of this vacation.
- Proposed action conforms to General Plan Goal LU-2. As described in the Land Use Element, it is the City's goal to create and maintain an aesthetically pleasing and functional environment and minimize impacts on existing physical resources. Additionally, given that the proposed action will not result in any adverse impacts to public utilities or the transportation network, the proposed vacation is in conformance with the General Plan.
- Proposed action conforms to General Plan Goal CIR-1. As described in the Circulation Element, it is the City's goal to provide for a balanced, uncongested, safe, and energy-efficient transportation system. Given that this portion of the easement serves no public street and/or highway purposes, the proposed action will not impact the City's transportation system plan.

As a result of the vacation of the easement, the applicant can pursue the proposed development with patios and stoops along Anton Boulevard maintaining a sidewalk within the 7-foot easement and no change to the pedestrian or vehicular circulation on Anton Boulevard.

Perimeter Open Space

The Planned Development Commercial (PDC) and North Costa Mesa Specific Plan establishes the development standards for this project. The project site is subject to a 20-foot minimum perimeter open space setback on Avenue of the Arts and Anton Boulevard frontage. No setback is required from the interior driveways.

Anton Boulevard Perimeter Open Space

- **Building setbacks** – The upper levels (level 3 and above) of the buildings will include units and balconies encroaching a maximum of eight feet into this setback. No encroachment is proposed on the ground level. The minimum setback from the edge of the upper building and balconies will be at 12 feet to the property line along this frontage.
- **Patios and Stoops** – The proposed site design provide a minimum 7-foot setback from the public sidewalk on Anton Boulevard to the face of the landscape wall leading to the raised patios.

Avenue of the Arts Perimeter Open Space

- The proposed perimeter setback along Avenue of the Arts is more than 24 feet; however, the proposed dog run encroaches 15 feet into this setback with a metal barrier. With the proposed configuration an eight-foot planter separates the dog park from the sidewalk that will provide for landscape screening and enhancement of that frontage.

Administrative Adjustment / Deviation from Perimeter Open Space Requirement

In accordance with Section 13-61 of the Zoning Code, the Planning Commission could approve inclusion of architectural features (such as arcades, awnings and canopies) and hardscape features (such as paving, patios, planters and street furniture) if the Planning Commission determines that:

- (1) These other features provide usable, visually interesting pedestrian amenities and facilitate pedestrian circulation.
- (2) These additional features enhance the overall urban design concept of the Planned Development and promote the goals of the General Plan, applicable specific plan.
- (3) Adequate landscaping is retained to shade the outdoor use areas and to complement the architecture and the design of buildings and pedestrian areas; and
- (4) The design of the perimeter setback area will be compatible with contiguous development.

The requested encroachment into perimeter setback on the ground level is to allow raised patios, steps and low walls along the street frontage on Anton Boulevard that could provide a better pedestrian experience. The addition of the secondary access to the perimeter loft units from the public sidewalk in this urban setting is considered an amenity of the project by creating pedestrian linkages to a central open space. This landscaped courtyard will be open to the public. The 15-foot encroachment on Avenue of the Arts is to allow a confined dog park. The dog park is an amenity to the development and must be provided on the ground level for maintenance purposes. The applicant chose this frontage for easy pedestrian access and limited visibility to passerbys.

Building projections are also allowed in the Perimeter Open Space per Section 13-61 if the following is determined that:

- (1) An adequate, well-defined pedestrian circulation system is provided within the planned development;
- (2) Pedestrian oriented landscaped and/or public use areas (plazas, patios, etc.) are provided within the planned development;

- (3) The reduced open space area will not be detrimental to developments on contiguous properties;
- (4) The reduced building setback will not deprive the street nor other properties of necessary light and air; and
- (5) These additional features enhance the overall urban design concept of the Planned Development and promote the goals of the City's General Plan, applicable specific plan.

The perimeter open space was established with the office park setting of the North Costa Mesa Specific Plan. The proposed mid-rise development includes perimeter improvements in the form of landscaping in the public right-of-way and landscape improvements behind the sidewalk. All of these improvements are visible from Anton Boulevard and open to the public. The NCMSP refers to the area on Anton Boulevard between Bristol Street and Sakioka Drive as pedestrian zone, and the proposal is consistent with the promotion of pedestrian linkages

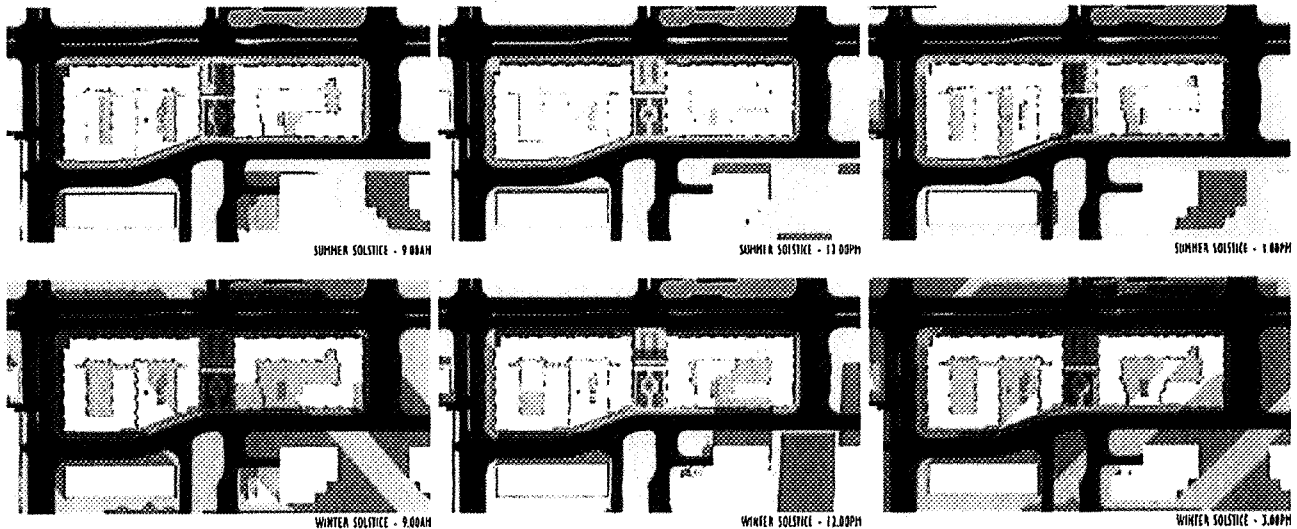
The North Costa Mesa Specific Plan (NCMSP) allows a site specific density of 100 dwelling per acre for this 4.86 acre site or a maximum of 484 units. The proposed development is 91 units fewer than the allowable densities approved by the General Plan and the zoning for the site. The encroachment is allowing better usability of the units by providing private balconies and does not add to the intensity of the development. A corner encroachment of building was approved for the mid-rise development at 580 Anton Boulevard and the previous approval of the Symphony Towers allowed an encroachment that reduced the perimeter open space to 16 feet.

The reduced perimeter setback is appropriate for the urban setting of the project and allows the public sidewalk connection to the center plaza and the perimeter lofts. The proposed development will enhance the pedestrian sidewalk, specifically in this stretch and improve the street frontage by lofts units taking direct access from the sidewalk. The reduced building setback is applicable only to the upper levels of the buildings, where there will be more than 16 feet of height clearance from the sidewalk level. The balconies fill in the space between the building pop-outs and provide visual relief from the massing of the building.

Shade/Shadow Analysis

The Program EIR concluded that the proposed high-rise residential units are not sensitive uses with the same expectations of shade/shadow limits as traditional multi-family residential uses. The City considers the project area as an urban environment with intensely developed commercial, residential, and cultural uses in a limited geographic area. Given the urban context of the project area, the surrounding land uses, including the existing commercial and retail uses located on the southwest corner of Anton Avenue and Avenue of the Arts were not considered sensitive uses; therefore, the Program EIR concluded that no impact would occur. The proposed project includes a building height reduction from 306 to 66 feet with a roof segment that extends 74'10" over the lobby, the elevator, and stairway areas in Building A and Building B and, therefore, will produce a significantly reduced or a more shallow shadow than the

originally proposed project. As shown below shadows from the proposed project will not reach the surrounding building. Therefore, the Program EIR remains adequate and complete for this topic.



***Development Agreement
(Park Impact Fee and Valid Timeframe for Entitlement)***

City Council is the final review authority for development agreements. Therefore, Planning Commission is not required to make a recommendation on the language of a Development Agreement. The following discussion is provided for informational purposes.

The applicant is requesting City Council approval of a Development Agreement to include the following:

- Park Fee: Establish a park impact fee per unit for the apartment project.
- Time Extensions: Extend the approval period for the Final Master Plan PA-07-18 for Symphony Towers, Parking Structure B, and Symphony Apartments for a 20 year period ending in Year 2034.

As an apartment project which would not require a subdivision map, the project is technically not subject to park impact fees. However, if the City were to adopt a park impact fee for new construction of rental housing stock in the future, the project will be subject to any adopted park impact fee at the time of building permit issuance.

The original 484-unit Symphony Towers project included a vesting tentative tract map and was subject to park impact fees. The EIR for North Costa Mesa High Rise projects identifies the park impacts of these projects and notes that the impact will be mitigated with submission of the park impact fees. At the time, all projects were considered for sale, condominium units.

Although the proposed Symphony Apartments is not currently subject to park impact fees as a rental project, the City is in the process of preparing a park impact fee that would

determine the impacts fees for apartment communities as well as reassessing the subdivision fees. Since the park impact fee has not been established, the applicant is requesting to enter into a Development Agreement with the City and negotiate a park impact fee that would be approved at the time of approval of the project.

The recently approved project at 125 E. Baker Street was considered as the basis for the proposed park impact fee. In comparison this project provides more than \$6 million dollars of on-site amenities and an open space plaza at the ground level available for public use. The park impact fee was calculated based on the park demand for 393 units and the valuation of the provided on-site amenities. The Development Agreement is subject to approval by the City Council. If the project is converted to condominiums in the future, the project would still be subject to the payment of Quimby Act fee effective at the time. A condition of approval is included to address this issue.

CONSISTENCY WITH GENERAL PLAN, NCSMP AND ZONING CODE

General Plan Amendment GP-06-02 and Zoning Code Amendment CO-06-05 allowed high-rise residential development in the Planned Development Commercial (PDC) of the North Costa Mesa Specific Plan. The proposed project conforms to the General Plan and Zoning Code as amended. The new mid-rise option with 393 units is lower in intensity and fewer number of units than the 484- unit high rise development approved with the North Costa Mesa Specific Plan Amendment. The proposal would also adhere to the exterior and interior noise standards established for mixed-use developments in the Planned Development zone.

The proposed development is 91 units below the approved density of 100 du/acre as approved by General Plan Amendment GP-06-02 for the 4.86-acre site. In addition, the proposal complies with the specific General Plan objectives as follows:

- *Land Use Objective LU-1F.4: Ensure that residential densities can be supported by the infrastructure and that high density residential areas are not permitted in areas, which cause incompatibility with existing single-family areas.*
- *Land Use Objective LU1C.3: Prohibit construction of buildings which would present a hazard to air navigation as determined by the FAA.*
- *Land Use Objective LUA.1: Provide for the development of a mix and balance of housing opportunities, commercial goods and services, and employment opportunities in consideration of the needs of the business and residential segment of the community.*

The project would replace two vacant restaurant buildings with a modern and quality project that would enhance the appearance and value of the site and its surroundings. The project provides new housing opportunities at a level no greater than can be supported by the existing infrastructure. In addition, the proposal will provide on-site parking spaces that exceeds current parking standards.

Conditions of Approval / Mitigation Measures

The mitigation monitoring program provides the standard conditions of approval and mitigation measures (Exhibit B).

Airport Land Use Commission and FAA No Hazard Determination

Kari Rigoni, Executive Director of the Airport Land Use Commission, has indicated that the proposed mid-rise building is not subject to the ALUC's review. The ALUC's consistency determination on the high-rise development proposal was overruled by City Council in 2007; no additional review is required for the mid-rise project at 66 feet in average height (75 feet maximum at the lobby).

The Federal Aviation Administration (FAA) issued a Determination of No Hazard in 2006 for the original Symphony Towers project. The FAA No Hazard Determination established a maximum building height envelope. The proposed buildings at a maximum of 75 feet in height are well below the FAA requirement. A condition of approval requires that a valid FAA No Hazard Determination be submitted prior to issuance of building permits.

ENVIRONMENTAL DETERMINATION

Final Program EIR No. 1052 was prepared in accordance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Costa Mesa Environmental Guidelines. Council certified the Program EIR on November 21, 2006 by adoption of Resolution No. 06-93. Since the project's revision is within the scope of the projects reviewed by EIR No. 1052 and new environmental impacts are not identified with the project, an Addendum to the EIR (Attachment 6) was prepared by CAA Planning in September 2014.

LEGAL REVIEW

The City Attorney's office approved the attached resolution as to form.

ALTERNATIVES

The Planning Commission may recommend that City Council:

1. *Approve the project with modifications.* The Planning Commission may suggest specific changes that are necessary to alleviate concerns. If any of the additional requested changes are substantial, the item should be continued to a future meeting to allow a redesign or additional analysis. Any recommendation of approval would also include a recommendation to approve the addendum to the EIR.
Deny the project. If the Planning Commission believes that there are insufficient facts to support the findings for approval, Planning Commission may recommend denial of the application and provide facts in support of denial to be included in the attached draft resolution for denial.

CONCLUSION

The proposed development provides an alternative site design with mid-rise residential buildings and a reduction in overall density. The project will provide a high quality residential development within an office complex and walking distance to retail and job opportunities. The proposal of the open paseo at the center of the site and pedestrian connection from the sidewalk to the units and ground level retail and open space is consistent with the visions of the North Costa Mesa Specific Plan and General Plan policies in providing quality development in an urban setting and contributing to a pedestrian zone on Anton Boulevard.



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Services

- Attachments:
1. Draft Planning Commission Resolution and Exhibits
 2. Vicinity Map
 3. Zoning Map
 4. Submitted Technical Site Plan/ applicant letter
 5. Submitted Plans (under separate cover)
 6. Addendum to EIR No. 1052 (under separate cover)

Distribution:

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